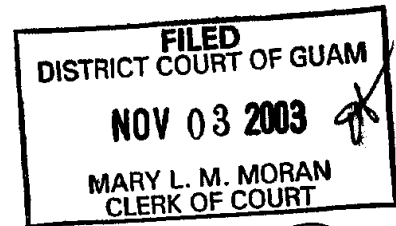


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8 Attorneys for Plaintiff Shell Guam, Inc.

11  
12 IN THE DISTRICT COURT OF GUAM

13 SHELL GUAM, INC.,	)	CIVIL CASE NO. CIV03-000020
14 a Guam corporation,	)	
15	)	
16 Plaintiff,	)	[PROPOSED] <i>SM</i>
17	)	ORDER OF SALE OF DEFENDANT
18 vs.	)	M/V TENRYU MARU NO. 28
19	)	BY PLAINTIFF SHELL GUAM, INC.
20 M/V TENRYU MARU NO. 28,	)	
21	)	
22 Defendant.	)	
23	)	

24 This matter having come before this Court upon the Application for Order of Sale by  
25 Plaintiff Shell Guam, Inc. with respect to Defendant M/V Tenryu Maru No. 28, and the Default  
26 against Defendant M/V Tenryu Maru No. 28 having been entered on September 15, 2003, Judgment  
27 by Default having been entered herein this action against Defendant M/V Tenryu Maru No. 28,  
28 now, upon application by Plaintiff Shell Guam, Inc., and upon review of the pleadings and papers  
on filed herein it is hereupon

ORIGINAL

**ORDERED** that:

1. That Defendant M/V Tenryu Maru No. 28 is hereby ORDERED TO BE SOLD.
2. That the United States Marshal is hereby ORDERED AND DIRECTED to sell

Defendant M/V Tenryu Maru No. 28 upon the following terms and conditions:

a. That said Marshal shall sell Defendant M/V Tenryu Maru No. 28 at the steps of the District Courthouse at the hour of 11:00 o'clock a.m. on the 30<sup>th</sup> day of November 2003, after publication of the Notice of Sale as required by the rules of this Court. Notice shall be published in the Pacific Daily News, a newspaper of general circulation in Guam USA, for six (6) consecutive days before the date of sale.

b. That said Marshal, at the request of any interested person, grant permission to said person or his representative to visit, board, inspect, examine and survey the Defendant M/V Tenryu Maru No. 28 during the daylight hours of 9:00 a.m. and 4:00 p.m., provided that the same shall be done at the sole expense and risk of any said person or his representative. Any such inspection to be arranged through Oceaneer Enterprises, Inc..


c. That the Marshall is hereby authorize to accept a deposit of ten percent (10%) of the amount of the bid for Defendant M/V Tenryu Maru No. 28, upon the condition that the balance of the bid is paid as provided in Local Admiralty Rule 14(b) and upon condition that the deposit shall be forfeited by the bidder and applied to the costs of this action, if the balance of the bid is not paid when due. The amounts shall be held by the Marshal pending further order of this Court.

d. That Plaintiff Shell Guam, Inc. is authorized to bid up to the amount of their Judgment, as well as their costs including custodial expenses incurred or to be incurred and attorneys fees and costs, and Plaintiff Shell Guam, Inc. shall not be required to make any deposit to secure its bid, pending confirmation of sale.

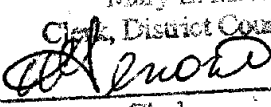
e. Plaintiff Shell Guam, Inc. shall file an Affidavit of its costs with the Court as provided by Local Admiralty Rule 14(b) and may file a Supplemental Affidavit on the day of the sale and present a copy of the same to the Marshal prior to the sale and the amount thereof shall be announced by him previous to the sale.

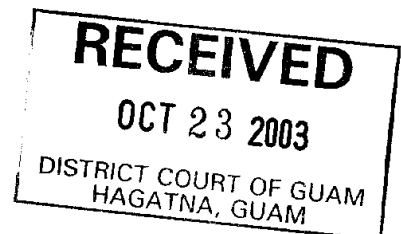
f. The sale of Defendant M/V Tenryu Maru No. 28 shall be subject to all liens and the United States Marshal shall so state in the Notice of Sale and at the time of sale.

SO DONE AND ORDERED IN CHAMBERS at Hagåtña, Guam USA this 3<sup>rd</sup> day of ~~October~~ <sup>November</sup> 2003.

  
HONORABLE JOHN S. UNPINGCO  
Chief Judge, District Court of Guam

Notice is hereby given that this document was entered on the docket on 11/4/03. No separate notice of entry of this document will be issued by this Court.

Mary L. M. Miron  
Clerk, District Court of Guam  
By:  11/4/03  
Deputy Clerk Date



Z8(004.676)PLD\#2037